

**REMARKS**

The Office Action mailed May 26, 2004, has been carefully reviewed and the foregoing amendments are made in response thereto. In view of the amendments and the following remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Applicants acknowledge with appreciation the allowability of claims 2-16. Applicants respectfully submit that no prohibited new matter has been introduced by the amendments submitted above. Solely in order to expedite allowance, claim 1 has been amended to replace the word "having" with the phrase "consisting of" as suggested in the Office Action. Accordingly, claim 1 should now also be allowable.

Applicants also request consideration of claims 17-19 submitted in the amendment filed March 3, 2004. No prohibited new matter has been introduced by way of these claims, with support being found in the previously presented claims. These claims do not appear to have been considered in the Office Action mailed May 26, 2004. Applicants acknowledge with appreciation the telephone conference with the Examiner on August 10, 2004, in which the Examiner agreed to telephone the undersigned should there be any issues relating to claims 17-19 rather than issue a new non-final Office Action, so that allowance of the present application may be expedited.

Turning now to the Office Action, claim 1 remains rejected under 35 U.S.C. § 112 first paragraph for allegedly containing subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention at the time of filing. The Office Action asserts that the term "having" used in the amended claim is still open language, and therefore the claim is not limited solely to the recited SEQ ID Nos. but would still encompass a large scope of varying species. The Examiner recommends that the term "having" be replaced with the phrase "consisting of."

Without agreeing with the rejection, Applicants have amended claim 1 above to replace the term "having" with the phrase "consisting of" as suggested by the Examiner. Accordingly, claim 1 should now be allowable. Withdrawal of the rejection of claim 1 under 35 U.S.C. § 112, first paragraph is respectfully requested.

***Conclusion***

In view of the foregoing remarks, Applicants respectfully request withdrawal of all outstanding rejections and early notice of allowance to that effect.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No.50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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